

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	09/776,720	KATO, TAKATOSHI	
	Examiner	Art Unit	
	Michael P. Mooney	2883	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 9/2/04 Request and 9/17/04 IDS.

2.  The allowed claim(s) is/are 1-6 and 9-14.

3.  The drawings filed on 08 February 2001 are accepted by the Examiner.

4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached

1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 9/17/04
- 4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
- 5.  Notice of Informal Patent Application (PTO-152)
- 6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_.

*Signature for  
FRANK FENT  
Brian Healy  
Primary Examiner*

## REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The prior art, either alone or in combination, does not disclose or render obvious an optical transmission fiber (OTF) having a chromatic dispersion of +4 to +10 ps/nm/km at the 1550 nm wavelength and installed in a relay section; and a module made of a dispersion compensating optical fiber (DCF) having a chromatic dispersion (CD) of -40 ps/nm/km or less and a dispersion slope of -0.10 ps/(sq. nm)/km or less at the 1550 nm wavelength, wherein said DCF has a length that is sufficient to substantially compensate the CD of said OTF at the 1550 nm wavelength and loss of said module at the 1550 nm wavelength is not more than 0.035 dB per unit kilometer of said OTF in combination with the rest of claim 1 for the reasons stated by Applicant in the Remarks section filed 9/2/04.

It is noted that the claim 1 is allowable because the unique combination of each and every specific element stated in the claim.

The prior art, either alone or in combination, does not disclose or render obvious an optical transmission fiber (OTF) including a chromatic dispersion of +4 to +10 ps/nm/km at the 1550 nm wavelength and installed in a relay section; and a module made of a dispersion compensating optical fiber (DCF) having a chromatic dispersion (CD) of -40 ps/nm/km or less and a dispersion slope of -0.10 ps/(sq. nm)/km or less at the 1550 nm wavelength; a transmitter; and a receiver, wherein said DCF has a length that is sufficient to substantially compensate the CD of said OTF at the 1550 nm wavelength and loss of said module at the 1550 nm wavelength is not more than 0.035

dB per unit kilometer of said OTF in combination with the rest of claim 6 for the reasons stated by Applicant in the Remarks section filed 9/2/04.

It is noted that the claim 6 is allowable because the unique combination of each and every specific element stated in the claim.

The prior art, either alone or in combination, does not disclose or render obvious an optical transmission fiber (OTF) including a chromatic dispersion of +4 to +10 ps/nm/km at the 1550 nm wavelength and installed in a relay section; and a module made of a dispersion compensating optical fiber (DCF) having a chromatic dispersion (CD) of -40 ps/nm/km or less and a dispersion slope of -0.10 ps/(sq. nm)/km or less at the 1550 nm wavelength; wherein an average CD of the optical transmission line is not less than -2 ps/nm/km and not more than 2 ps/nm/km from 1.5  $\mu$ m to 1.6  $\mu$ m inclusive in combination with the rest of claim 9 for the reasons stated by Applicant in the Remarks section filed 9/2/04.

It is noted that the claim 9 is allowable because the unique combination of each and every specific element stated in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

Applicant's arguments, see pages 2-15, filed 9/2/04, with respect to claims 1-6, 9-14 have been fully considered and are persuasive. The rejection of 6/17/04 has been withdrawn.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Mooney whose telephone number is 571-272-2422. The examiner can normally be reached during weekdays, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1562.

*Michael P. Mooney*  
Michael P. Mooney  
Examiner  
Art Unit 2883

Frank G. Font  
Supervisory Patent Examiner  
Art Unit 2883

FGF/mpm  
11/10/04

*Signing for  
FRANK FONT*  
*Brian Healy*  
Brian Healy  
Primary Examiner